

IN THE CLAIMS

A listing of claims is included on page 5 of this paper.

REMARKS**Claim Objections**

The status identifiers of claim 5 and 6 were objected to because they were incorrect. Both status identifiers were corrected to "Previously Presented." "Original" would be an incorrect identifier because these two claims were entered in a preliminary amendment, in which all original claims were canceled.

Claim Rejections Under 35 U.S.C. §103

Claims 5 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gold (US 4,742,996) in view of Gold et al. (US 2004/0130079) and in view of Wallis (US 4,154,434)

The Examiner asserts that it would have been obvious to one of ordinary skill in the art to modify the spring/damper unit of Gold with the known ducts as taught by Gold et al. and with overflow throttles arranged in the cylinder housing between the second damper space and the spring space, as taught by Wallis, in order to minimize shocks and vibrations to the body of the vehicle.

Applicant requests reconsideration.

None of the references, not even Wallis, teaches to arrange throttles between the spring space and the second damper space.

Wallis's passageways 62 are not throttles, as explained in applicant's previous response:

The openings bearing reference numeral 62 are called "passageways" in the Wallis document. They are further described as establishing a **free communication** between the interior of boot 56 and the upper end of cylinder 16 (see **Wallis, column 2, lines 26-28**). Such a free connection does not exist

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in the present invention but between the spring space 17 and the first damping space 9. The only "throttling" effect in the Wallis patent is seen along the periphery of piston 36, whose reciprocating movement may result in gas "seeping" from chamber 78, corresponding to the first damping space 9 of the present invention, into chamber 80, corresponding to the second damping space 10 of the present invention (see column 3, lines 2-6).

(Emphasis added).

Thus Wallis teaches only to throttle a connection between the first and the second damper space, just as the other two references do: Gold provides for throttles 28 and 30 between the first damper space 24 and the second damper space 26. Gold et al provides damping orifices 9 through the piston 5 between the first damper space 8 and the second damper space 7 (see paragraph [0020]). Combining Gold, Wallace, and Gold et al. would invariably provide throttles in (or around the periphery of) piston 6 of the present invention, i.e. between first damper space 9 and second damper space 10.

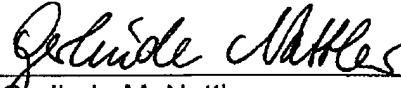
On the other hand, the three documents provide that the spring space is either connected to the first damper space through an opening providing flow resistance (Gold et al., paragraph [0026]) or that it is freely connected to the second damper space (Wallis: openings 62, Gold: chamber 26 and bellows 18).

None of the prior art documents provides for a throttled connection between the second damper space and the spring space. Thus a combination of those documents, which way ever, cannot result in the limitations of claim 5. The Examiner has not provided any evidence that such a throttle is known in the prior art at all, and thus the rejection is believed to be improper.

Accordingly, Applicant believes that claim 5 is not rendered obvious by the combination of the prior art documents cited by the Examiner and that it is patentable.

Therefore, claim 6, which depends on claim 5, is believed to be patentable as well.

Respectfully submitted,



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